

REMARKS

Status of the Claims

Claims 1, 24, 25 and new claims 26-37 are pending, with claims 1 and 24 being independent. Claim 23 has been canceled without prejudice to or disclaimer of the subject matter contained therein. Without conceding the propriety of the rejections, claim 1 has been amended to even more clearly recite and distinctly claim Applicant's invention. New claims 26 – 37 have been added. Support for the amendment and new claims can be found in the original claims as well as throughout the specification. Therefore, no new matter has been added.

Applicant respectfully requests the Examiner to reconsider and withdraw the outstanding rejections in view of the foregoing amendments, the following remarks, and the terminal disclaimer submitted herewith.

Claim Rejections under 35 U.S.C. § 101

Claim 1 is rejected under 35 U.S.C. § 101 as claiming the same invention as that of claim 1 of prior U.S. Patent No. 6,204,426. Without conceding the propriety of the rejection, claim 1 has been amended to even more clearly recite and distinctly claim Applicant's invention, thus obviating the rejection. Accordingly, Applicants respectfully request that this rejection be withdrawn.

Double Patenting

Claims 23-25 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 2-22 of U.S. Patent No. 6,204,426 in view of Miller (US 4,859,312).

Applicants believe that the present claims are patentable over claims 2-22 of U.S. Patent No. 6,204,426, even in view of Miller (US 4,859,312). However, to facilitate allowable subject matter, a terminal disclaimer over U.S. Patent No. 6,204,426 is submitted herewith. The filing of a Terminal Disclaimer is not to be construed as an admission of the propriety of the rejection on obvious double patenting. *Quad Environmental Technologies Corp. v. Union Sanitary District*, 946 F.2d 870, 20 USPQ2d 1392 (Fed. Cir. 1991).

In view thereof, Applicants respectfully request that this rejection be withdrawn.

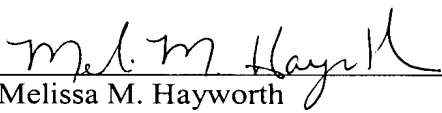
Conclusion

Without conceding the propriety of the rejections, the claims have been amended, as provided above, to even more clearly recite and distinctly claim Applicant's invention and to pursue an early allowance.

In view of the foregoing amendments and remarks and the terminal disclaimer submitted herewith, reconsideration of the claims and allowance of the subject application is earnestly solicited. The Examiner is invited to contact the undersigned at the below-listed telephone number, if it is believed that prosecution of this application may be assisted thereby.

Respectfully submitted,

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